

United States District Court

SOUTHERN

DISTRICT OF TEXAS
McALLEN DIVISION
FILEDUNITED STATES OF AMERICA
V.

AUG 12 2014 CRIMINAL COMPLAINT

Jesus Gabriel Hernandez-Ortiz

Principal

Clerk of Court

Case Number:

A202 075 029

YOB: 1994

the United Mexican States

M-14-1548-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 11, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Ruth Sarai Andino-Escobar, citizen and national of Nicaragua, and Victor Hugo Tiniguar-Morales, citizen and national of Guatemala, along nine (9) other undocumented aliens, for a total of eleven (11), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Hidalgo, Texas to the point of arrest near Hidalgo, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 11, 2014 Border Patrol Agents (BPAs) O. Rico and J. Royomayorga were conducting patrol duties near the Pharr, Texas Port of Entry. Agents responded to activity and suspected illegal aliens may be in an area known as the Doffin Canal. As they approached the area, they were able to locate 12 subjects hidden in the brush. The subjects were interviewed briefly and admitted being illegally present in the United States. All of the subjects were then transported for further questioning and processing. At the station, Jesus Gabriel Hernandez-Ortiz was identified as the group's foot guide. Based on Hernandez-Ortiz's admission and material witness statements, he was linked to alien smuggling in this case.

SEE ATTACHED:

Continued on the attached sheet and made a part of this complaint:

OK to file. TRT

☒ Yes ☐ No

Signature of Complainant

Frediberto Hernandez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

August 12, 2014

Date

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-1548-M

RE: Jesus Gabriel Hernandez-Ortiz

A202 075 029

CONTINUATION:

Principal Statement:

Jesus Gabriel Hernandez-Ortiz was read his Miranda Rights and agreed to provide a statement. Hernandez stated he made arrangements with a man in Reynosa to transport the subjects by foot into the U.S. He crossed with the group on an inflatable raft and was going to lead them to their pick-up location. Hernandez further stated he was going to be paid \$50 per person he transported.

Material Witness Statements:

Both Material Witnesses were read their Miranda Rights and provided a statement.

1. Ruth Sarai Andino-Escobar claimed to be a citizen of Nicaragua and illegally entered into the U.S. Andino made arrangements to pay \$3,000 to be smuggled to Houston, Texas. She also claimed she paid \$800 to receive a false Mexican identification card. Andino described her and the group crossed into the U.S. in an inflatable raft. In the group, there was 1 foot guide directing them and he was wearing a black shirt, light brown pants, and white shoes. The foot guide instructed them to stay in a straight line when they walked and to run if they were found by Border Patrol. He also would tell them when to move and not move and he made all of the subjects turn off their cellular phones. Andino identified Jesus Gabriel Hernandez-Ortiz as the foot guide for the group.

2. Victor Hugo Tiniguar-Morales claimed to be a citizen of Guatemala and illegally entered into the U.S. Tiniguar made arrangements to pay \$6,000 to be smuggled to Houston, Texas. Tiniguar stated there was a foot guide in the group providing instructions. Tiniguar identified Jesus Gabriel Hernandez-Ortiz as a foot guide for the group.